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Attorneys for Defendant
NATIONAL RAILROAD
PASSENGER CORPORATION

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

THURMAN E. BROWN,
Plaintiff,

v.

NATIONAL RAILROAD PASSENGER
CORPORATION, a.k.a., "AMTRAK," a
corporation,
Defendant.

Case No. 3:09-cv-03401 JL

**STIPULATION TO INDEPENDENT
MEDICAL EXAMINATION PURSUANT
TO RULE 35 OF THE FEDERAL RULES
OF CIVIL PROCEDURE**

IT IS HEREBY STIPULATED by and between plaintiff THURMAN E. BROWN ("Plaintiff") and defendant NATIONAL RAILROAD PASSENGER CORPORATION ("Defendant"), through their designated counsel, that plaintiff will undergo a physical examination pursuant to Rule 35 of the Federal Rules of Civil Procedure. Said examination shall take place on **June 17, 2010 at 2:00 p.m.** and will be conducted by Peter Slabaugh, M.D. at Webster Orthopaedic Medical Group, 80 Grand Avenue, Suite 400, Oakland, California 94612, Telephone: (510) 267-4017.

This examination will be conducted for the purpose of determining the nature and extent of plaintiff's physical injuries and the relationship thereof to the accident which is the subject of this litigation, and will consist of all necessary and customary activities required to make such a determination, including but not limited to medical history, history of accident in question, and

1 physical examination and evaluation. Photographs of Plaintiff's injuries may be taken for use at
2 trial.

3 Plaintiff shall be responsible for any cancellation or no show fees per Dr. Slabaugh's
4 policy.

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6 Dated: June 7, 2010

HILDEBRAND, MCLEOD & NELSON, INC.

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8 By: /s/ John Furstenthal
JOHN FURSTENTHAL
9 Attorneys for Plaintiff
THURMAN E. BROWN

10 Dated: June 7, 2010

LOMBARDI, LOPER & CONANT, LLP

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12 By: /s/ Liza Siu Mendoza
LIZA SIU MENDOZA
13 Attorneys for Defendant
14 NATIONAL RAILROAD PASSENGER
CORPORATION

15 IT IS SO ORDERED:

16 June 14

17 DATED: _____, 2010

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HONORABLE JAMES LARSON
19 UNITED STATES DISTRICT JUDGE
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